

**NOTICE AND AGENDA OF A SPECIAL MEETING
BOARD OF DIRECTORS**

MENDOCINO COAST HEALTH CARE DISTRICT

October 19, 2022

6:15 PM OPEN SESSION

Mendocino Coast Health Care District is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/89683045980?pwd=NHpYenlhcHZsVzJ6V0JHQkkyDBqQT09>

Meeting ID: 896 8304 5980

Passcode: 329781

One tap mobile

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Meeting ID: 896 8304 5980

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Find your local number: <https://us06web.zoom.us/j/89683045980?pwd=NHpYenlhcHZsVzJ6V0JHQkkyDBqQT09>

CONDUCT OF BUSINESS (Open Session):

1. CALL TO ORDER Jessica Grinberg, Chair
2. ROLL CALL Norman de Vall, Secretary

3. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

Members of the public may take this opportunity to comment on non-agenda items. Under the requirements of the Brown Act, members of the community wishing to address an item on the special meeting agenda should wait until that item is called. Items on the agenda will not be addressed at this time. A three-minute limit is set for each speaker on all items. The total time for public input on each item is limited to 20 minutes. (Government Code 54954.3).

BROWN ACT REQUIREMENTS: Pursuant to the Brown Act, the Board of Directors cannot discuss issues or take action on requests during this comment period.

4. NOTICE FOR PUBLIC COMMENTS ON ACTION ITEMS

Members of the public may comment on any action item. A three-minute limit is set for each speaker. The total time for public input on each item is limited to 20 minutes.

THE FOLLOWING AGENDA ITEMS ARE FOR DISCUSSION AND POSSIBLE ACTION:

5. Approval of Transfer of Funds to Tri Counties Bank
6. Adventist Health access to Capital Improvement account
7. Resignation Of Treasurer
8. Resolution for Remote Meetings TAB 1

Dated: _____, 2022

STATE OF CALIFORNIA)
COUNTY OF MENDOCINO)

I declare under penalty of perjury that I am a representative of the Mendocino Coast Health Care District Board of Directors; and that I posted this notice on the front door of the AJ Gray Building on _____, 2022.

The agenda and packet can also be found at www.mchcd.org.

Norman de Vall, Secretary _____, 2022

Original signed and posted at the entrance to the A.J. Gray Building

Norman de Vall, Secretary _____, 2022

All disabled persons requesting disability related modifications or accommodations may make such request by email in order to participate in a public meeting to Norman de Vall at ndevall@mcdh.org

RESOLUTION NO. 2022- _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MENDOCINO COAST HEALTH CARE DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE MENDOCINO COAST HEALTH CARE DISTRICT FOR THE PERIOD October 19, 2022 THROUGH November 19, 2022 PURSUANT TO THE BROWN ACT'S PROVISIONS.

WHEREAS, the MENDOCINO COAST HEALTH CARE DISTRICT is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of MENDOCINO COAST HEALTH CARE DISTRICT'S legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted Resolution No. _____ on _____, finding that the requisite conditions existed for the legislative bodies of MENDOCINO COAST HEALTH CARE DISTRICT to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, the Board of Directors previously adopted a subsequent Resolution, No. _____ on _____, finding that the requisite conditions exist for the legislative bodies of MENDOCINO COAST HEALTH CARE DISTRICT to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, the Board of Directors previously adopted subsequent resolutions, Number _____ on _____, Number _____ on _____, and Number _____ on _____, finding that the requisite conditions exist for the legislative bodies of MENDOCINO

COAST HEALTH CARE DISTRICT to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in the District, specifically a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, on June 11, 2021, an Executive Order N-08-21 was issued to roll back certain provisions of Governor Newsom's COVID-19-related Executive Orders and to clarify that other provisions remained necessary to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic; and;

WHEREAS, since the issuance of Executive Order N-08-21, the highly contagious variants of COVID-19 emerged, causing a spike in cases throughout the state; and

WHEREAS, the Board of Directors does hereby find that a State of Emergency exists in California as a result of the threat of COVID-19 **AND** in order to slow the spread of the more contagious variants of COVID-19, meeting in person would present imminent risksto the health or safety of attendees and COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, such that the Board of Directors ratifies the proclamation of state of emergency by the Governor of the State of California to include the Mendocino Coast Health Care District; and;

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the legislative bodies of MENDOCINO COAST HEALTH CARE DISTRICT shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, , the Mendocino Coast Health Care District will ensure that opportunity is given to the public to participate in meetings, that District meetings remain as accessible as possible, giving every opportunity for members of the public to be allowed to observe the public meeting, offer comment during the meeting remotely, via either a call-in or internet-based option, and that meeting agendas will be posted in accordance with Brown Act regulations and include information for remote access accessibility by phone, URL, platform link and password.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF MENDOCINO COAST HEALTH CARE DISTRICT DOES RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board of Directors hereby finds that State of Emergency still exists in California as a result of the threat of COVID-19 **AND** in order to slow the

spread of the more contagious variants of COVID-19, meeting in person would present imminent risks to the health or safety of attendees and COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to ratify the proclamation of state of emergency by the Governor of the State of California to include the Mendocino Coast Health Care District; and

Section 3. Re-ratification of Governor’s Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California’s Proclamation of State of Emergency, effective as of October 19, 2022.

Section 4. Remote Teleconference Meetings. The Fire Chief, Board Clerk and the legislative bodies of the MENDOCINO COAST HEALTH CARE DISTRICT are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) November 19, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of MENDOCINO COAST HEALTH CARE DISTRICT may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Mendocino Coast Health Care District, this 19th day of October by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jessica Grinberg, Chairperson

ATTEST:

Norman Del Vall, Secretary of the Board

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